

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1151 be amended to read as follows:

- 1 Page 4, between lines 14 and 15, begin a new paragraph and insert:
2 "SECTION 5. IC 3-7-38.1-7, AS AMENDED BY P.L.38-1999,
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 7. (a) A county voter registration office shall
5 cancel the registration of a voter who is described by both of the
6 following:
7 (1) The voter is described in section 4(a)(5)(C) of this chapter.
8 (2) The voter has not voted (or appeared to vote or to correct the
9 registration record stating the voter's address) in an election during
10 the period:
11 (A) beginning on the date of the notice sent under section
12 4(a)(3) of this chapter; and
13 (B) ending on the day after the date of the second general
14 election that occurs after the date of the notice sent under
15 section 4(a)(3) of this chapter.
16 **(b) If an individual appears to vote after the individual's**
17 **registration is placed on inactive status under section 5 of this**
18 **chapter, the individual must affirm under IC 3-10-1 or IC 3-11-8**
19 **before the individual is permitted to vote that the individual**
20 **currently resides at the address shown on the individual's**
21 **registration.**
22 **(c) At the expiration of the period ending thirty (30) days after the**
23 **second general election described in subsection (a)(2)(B), the county**
24 **voter registration office shall cancel the registration of a voter described**
25 **by this section."**
26 Page 5, between lines 36 and 37, begin a new paragraph and insert:
27 "SECTION 7. IC 3-7-38.2-13, AS AMENDED BY P.L.38-1999,
28 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 UPON PASSAGE]: Sec. 13. After the county voter registration office
30 has determined under this chapter that a voter's residence may have

1 changed, the election division shall send a notice to the voter that sets
 2 forth substantially the following statements as provided in 42 U.S.C.
 3 1973gg-6(d)(2):

4 (1) If the voter did not change the voter's residence or changed
 5 the residence but remained in the same county where the voter
 6 was listed on the voter registration record, the voter must return
 7 the card enclosed with the notice in person to the county voter
 8 registration office not later than twenty-nine (29) days before the
 9 election or by regular United States mail:

10 (A) with a postmark not later than twenty-nine (29) days
 11 before the election; or

12 (B) if a postmark is missing or illegible, to the county voter
 13 registration office not later than twenty-one (21) days before
 14 the election.

15 (2) If the card is not returned under subdivision (1), the voter ~~may~~
 16 ~~be required to must~~ affirm or confirm the voter's address before
 17 the voter is permitted to vote in an election during the period:

18 (A) beginning on the date of the notice; and

19 (B) ending on the day after the date of the second general
 20 election scheduled to occur after the date of the notice.

21 (3) If the voter does not vote in an election described in
 22 subdivision (2), the voter's name will be removed from the voter
 23 registration list.

24 (4) If the voter changed residence to a place outside the county in
 25 which the voter is included on the voter registration list,
 26 information concerning how the voter can continue to be eligible
 27 to vote in the county where the voter currently resides.".

28 Renumber all SECTIONS consecutively.

(Reference is to EHB 1151 as printed February 18, 2004.)

Senator LAWSON C